



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : 1617 Customer No.: 035811
Serial No. : Kim, Jennifer M.
Filed : 10/622,262
Inventor : Arnaud Mainnemare Docket No.: 1254-03
Title : HALOGENATED COMPOSITION,
: METHOD FOR PREPARING SAME
: AND USES THEREOF Confirmation No.: 4220

Dated: November 9, 2006

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Certificate of Mailing Under 37 CFR 1.8

For

Postcard
Response

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to **Mail Stop Amendment**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date appearing below.

Name of Applicant, Assignee, Applicant's Attorney
or Registered Representative:

DLA Piper US LLP
Customer No. 035811

By: _____

Cindy Steves

Date: _____

11-9-06



IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 1617 Customer No.: 035811
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Serial No. : 10/622,262
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RESPONSE

Mail Stop Amendment
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Sir:

This is submitted in response to the Official Action dated October 12, 2006.

The Applicant notes the restriction requirement under 35 U.S.C. §121 dividing the claims into Group I, including Claims 1-11; Group II, including Claims 12-19; Group III, including Claims 20 and 22; Group IV, including Claim 21; Group V, including Claim 23; and Group VI, including Claims 24-26.

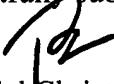
The Applicant first notes what appears to be an error in the grouping of the claims. The Applicant respectfully submits that Claims 25 and 26 should be placed in Group III with Claims 20 and 22 inasmuch as Claims 25 and 26 depend from Claim 20. Also, subject matter wise, Group III is directed to methods for treatment and/or preventing viral infections, etc. Claims 25 and 26 are directed to compositions that treat lesions and infections. On the other hand, they are not directed to methods of irrigating as is the case in Group VI and Claim 24. The Applicant respectfully requests reconsideration with respect to Claims 25 and 26.

The Applicant elects Group III, including Claims 20 and 22 (and also 25 and 26 upon reconsideration) for immediate prosecution. This election is made with traverse. The Applicant

respectfully submits that there is no burden on the Patent Office to consider all of the claims together, inasmuch as the restriction requirement itself admits that all of the claims fall within Class 252/187.26 and Class 514, subclass 561. The Applicant accordingly respectfully submits that this constitutes an admission that there is no burden on the Patent Office to both search the subject matter of all of the claims and examine those claims. There are no differences between the six groups in the classes and subclasses in which the subject matter is categorized. The Applicant respectfully submits that this inherently means that there is no undue burden in considering all of the solicited claims. Withdrawal of the restriction requirement in its entirety is respectfully requested.

In light of the foregoing, the Applicant respectfully submits that all of the claims be examined upon the merits in due course.

Respectfully submitted,


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